

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the amendments above and the following remarks. By virtue of the amendment, claims 1-22, 24, and 25 are pending in the present application. Claims 23 and 26 are canceled.

Claims 21-22 and 24-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bair et al. (6,065,134) in view of Owen et al. (5,153,880). Claims 1-20 are allowed. Claims 23 and 26 were objected to as including allowable subject matter but being dependent on a rejected base claim. The above rejections are respectfully traversed for at least the reasons set forth below.

Drawings and Information Disclosure Statement

At the outset, the indication that the formal drawings filed on November 20, 2001 are accepted is noted with appreciation.

Claim Rejection Under 35 U.S.C. §103

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

Claims 21-22 and 24-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bair et al. in view of Owen et al. Claim 23 was objected to as including allowable subject matter but being dependent on the rejected, independent claim 21. By this amendment, the features of claim 23 are combined with independent claim 21. Accordingly, claims 21-22 are allowable.

Claim 26 was objected to as including allowable subject matter but being dependent on the rejected, independent claim 24. By this amendment, the features of claim 26 are combined with independent claim 24. Accordingly, claims 24-25 are also allowable.

PATENT

Atty Docket No.: 10008038-1
App. Ser. No.: 09/988,631

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

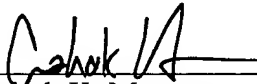
Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

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By



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